



**MONROE COUNTY, FLORIDA
PLANNING COMMISSION RESOLUTION NO. P03-10**

A RESOLUTION BY THE MONROE COUNTY PLANNING COMMISSION RECOMMENDING APPROVAL OF AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS CREATING SECTION 130-131 OF THE MONROE COUNTY LAND DEVELOPMENT CODE, CREATING THE LOWER SUGARLOAF KEY COMMUNITY CENTER OVERLAY DISTRICT FOR REAL ESTATE NUMBER 00118470.000000 AND FOR PORTIONS OF PARCELS HAVING REAL ESTATE NUMBERS 00118420.000000 AND 00117930.000000 DESCRIBED AS A PORTION OF GOVERNMENT LOT 3 AND PORTION OF GOVERNMENT LOT 4, SECTION 3, TOWNSHIP 67 SOUTH, RANGE 27 EAST AND A PORTION OF GOVERNMENT LOT 3, SECTION 34, TOWNSHIP 66 SOUTH, RANGE 27 EAST, SUGARLOAF KEY, MONROE COUNTY, FLORIDA AND A PORTION OF GOVERNMENT LOT 3, SECTION 34, TOWNSHIP 66 SOUTH, RANGE 27 EAST, SUGARLOAF KEY, MONROE COUNTY, FLORIDA AT 17001 OVERSEAS HIGHWAY, LOWER SUGARLOAF KEY, AT APPROXIMATELY MILE MARKER 17; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE DEPARTMENT OF COMMUNITY AFFAIRS AND THE SECRETARY OF STATE; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the purpose of the Lower Sugarloaf Key Community Center Overlay District is to implement the policies of the comprehensive plan, to protect the natural and man-made historic resources of the community and to encourage development that maintains the small scale and low intensity of Lower Sugarloaf Key; and

WHEREAS, the goal is to protect and maintain the historic character of the densities and intensities within the Lower Sugarloaf Key Community Center Overlay District; and

WHEREAS, the proposed amendment is consistent with the Monroe County Year 2010 Comprehensive Plan; and

WHEREAS, the proposed amendment is consistent with the Florida Administration Commission (F.A.C.), Chapter 9J-5; and

WHEREAS, the proposed amendment is consistent with the Principles for Guiding Development as a whole and is not inconsistent with any Principle; and

WHEREAS, this ordinance was recommended for approval to the Board of County Commissioners by the Planning Commission at its meeting of April 28, 2010;

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF MONROE COUNTY, FLORIDA, that the preceding Findings of Fact and Conclusions of Law support its decision to **RECOMMEND APPROVAL** to the Monroe County Board of County Commissions to create Section 130-131 of the Monroe County Land Development Code:

(Deletions are ~~stricken through~~ and additions are underlined.)

Section 1. Chapter 130, Article VII Division 2 shall be amended as follows:

Section 130-131. Lower Sugarloaf Key Community Center Overlay District

(a) The purpose of the Lower Sugarloaf Key Community Center Overlay District is to implement the policies of the comprehensive plan, to protect the natural and man-made historic resources of the community and to encourage development that maintains the small scale and low intensity of Lower Sugarloaf Key. The goal is to protect and maintain the historic character of the densities and intensities within the Lower Sugarloaf Key Community Center Overlay District.

(b) The Lower Sugarloaf Key Community Center Overlay District, shown on attached Map Exhibit A, and is comprised of the following property legally described as:

Legal Description:

Total Land: (Prepared by Mr. Fred Hildebrandt)

A portion of Government Lot 3 and Portion of Government Lot 4, Section 3, Township 67 South, Range 27 East and a portion of Government Lot 3, Section 34, Township 66 South, Range 27 East, Sugarloaf Key, Monroe County, Florida and being more particularly described as follows (All references to Government Lot Lines are per Bailey's Survey of Sugarloaf Properties, December 22, 1972):

Begin at the intersection of the Northwesterly Line of U.S. Highway No. 1 (State Road No. 5) and the West Line of Government Lot 3, of said Section 3; thence N.00°16'32"E., along the said Government Lot Line a distance of 60.28 feet; thence N.56°19'10"E., along the said Northwesterly Right-of-Way Line of U.S. Highway No. 1 a distance of 644.56 feet; thence N.33°41'00"W., a distance of 110.00 feet; thence N.56°19'10"E., a distance of 157.47 feet thence meander the Mean High Tide Line along natural shoreline, Concrete Seawalls, and man made canals for the following 112 metes and bounds; thence S.89°59'13"W., a distance of 39.25 feet; thence S.63°40'43"W., a distance of 125.84 feet; thence S.52°19'26"W., a distance of 139.22 feet; thence S.81°00'25"W., a distance of 28.60 feet; thence N.49°28'21"W., a distance of 36.77 feet; thence N.44°25'27"W., a distance of 56.18 feet; thence N.83°14'35"W., a distance of

35.52 feet; thence S.73°27'37"W., a distance of 55.45 feet; thence S.16°04'40"W., a distance of 11.80 feet; thence S.08°43'26"E., a distance of 47.16 feet; thence S.03°53'20"W., a distance of 14.59 feet; thence S.15°36'18"W., a distance of 14.67 feet; thence N.88°55'31"W., a distance of 8.77 feet; thence S.03°25'47"W., a distance of 99.98 feet; thence S.02°57'49"W., a distance of 17.80 feet; thence S.05°37'36"E., a distance of 27.23 feet; thence S.04°18'37"W., a distance of 80.00 feet; thence S.29°03'10"W., a distance of 8.24 feet; thence S.58°12'03"W., a distance of 94.46 feet; thence N.44°15'14"W., a distance of 27.06 feet; thence N.05°53'54"W., a distance of 25.96 feet; thence N.00°27'22"E., a distance of 17.67 feet; thence N.06°04'01"E., a distance of 27.63 feet; thence N.08°28'38"E., a distance of 18.79 feet; thence N.05°15'40"E., a distance of 45.38 feet; thence N.03°11'25"W., a distance of 68.18 feet; thence N.01°01'22"E., a distance of 189.87 feet; thence N.89°07'33"W., a distance of 4.34 feet; thence N.00°59'43"E., a distance of 79.47 feet; thence N.07°26'49"W., a distance of 9.10 feet; thence N.80°53'10"W., a distance of 10.77 feet; thence S.70°37'47"W., a distance of 107.27 feet; thence S.75°11'06"W., a distance of 110.85 feet; thence N.31°25'52"W., a distance of 7.55 feet; thence S.45°41'00"W., a distance of 20.00 feet; thence S.12°56'49"E., a distance of 17.13 feet; thence S.23°15'23"E., a distance of 148.59 feet; thence S.22°11'53"E., a distance of 87.98 feet; thence S.22°07'09"E., a distance of 53.48 feet; thence S.89°05'36"E., a distance of 11.23 feet; thence S.17°43'53"E., a distance of 22.70 feet; thence S.21°46'32"E., a distance of 46.95 feet; thence S.24°32'10"E., a distance of 32.10 feet; thence S.16°46'14"E., a distance of 25.08 feet; thence S.82°11'34"W., a distance of 7.57 feet; thence S.46°06'51"W., a distance of 15.15 feet; thence S.40°40'00"W., a distance of 8.26 feet; thence S.75°50'28"W., a distance of 27.17 feet; thence N.34°49'37"W., a distance of 9.41 feet; thence N.86°53'25"W., a distance of 13.76 feet; thence S.79°27'09"W., a distance of 14.28 feet; thence S.74°36'52"W., a distance of 18.07 feet; thence S.62°19'33"W., a distance of 46.19 feet; thence S.64°17'02"W., a distance of 13.39 feet; thence S.56°50'06"W., a distance of 6.88 feet; thence S.75°59'06"W., a distance of 3.58 feet; thence N.83°26'32"W., a distance of 14.66 feet; thence N.66°30'52"W., a distance of 3.03 feet; thence N.34°15'31"W., a distance of 2.61 feet; thence N.07°05'54"W., a distance of 3.06 feet; thence N.38°42'24"W., a distance of 2.31 feet; thence N.54°10'15"W., a distance of 4.07 feet; thence N.30°57'03"W., a distance of 4.14 feet; thence N.08°54'19"W., a distance of 17.54 feet; thence N.07°24'27"E., a distance of 11.48 feet; thence N.26°55'05"E., a distance of 20.95 feet; thence N.36°45'25"E., a distance of 8.54 feet; thence N.39°54'31"E., a distance of 8.27 feet; thence N.42°41'53"E., a distance of 8.81 feet; thence N.45°02'39"E., a distance of 10.01 feet; thence N.46°00'46"E., a distance of 10.52 feet; thence N.43°30'16"E., a distance of 22.20 feet; thence N.36°38'25"E., a distance of 9.34 feet; thence N.27°19'49"E., a distance of 8.71 feet; thence N.09°53'03"E., a distance of 8.12 feet; thence N.14°25'46"W., a distance of 5.77 feet; thence N.29°34'21"W., a distance of 8.10 feet; thence N.27°43'11"W., a distance of 8.27 feet; thence N.19°14'14"W., a distance of 6.80 feet; thence N.21°40'53"W., a distance of 7.56 feet; thence N.39°27'59"W., a distance of 3.20 feet; thence N.67°23'31"W., a distance of 2.51 feet; thence S.83°41'23"W., a distance of 3.79 feet; thence S.62°02'51"W., a distance of 11.10 feet; thence S.55°00'14"W., a distance of 96.97 feet; thence S.58°44'30"W., a distance of 27.82 feet; thence S.71°47'47"W.,

a distance of 29.56 feet; thence S.66°18'30"W., a distance of 129.11 feet; thence S.77°18'41"W., a distance of 49.70 feet; thence N.89°13'39"W., a distance of 18.11 feet; thence S.80°45'45"W., a distance of 75.01 feet; thence N.76°26'39"W., a distance of 10.79 feet; thence S.86°24'08"W., a distance of 12.48 feet; thence S.63°10'25"W., a distance of 19.95 feet; thence S.50°26'45"W., a distance of 9.58 feet; thence S.65°06'48"W., a distance of 5.74 feet; thence S.02°28'04"W., a distance of 15.86 feet; thence S.30°01'28"W., a distance of 12.67 feet; thence S.44°36'29"E., a distance of 15.15 feet; thence S.15°09'31"E., a distance of 195.02 feet; thence S.15°49'58"E., a distance of 26.50 feet; thence S.06°58'48"E., a distance of 24.39 feet; thence S.17°44'08"W., a distance of 19.93 feet; thence S.39°59'05"W., a distance of 10.31 feet; thence S.54°24'35"W., a distance of 10.99 feet; thence S.68°48'10"W., a distance of 11.09 feet; thence S.89°58'27"W., a distance of 21.32 feet; thence N.65°14'43"W., a distance of 10.86 feet; thence N.47°15'08"W., a distance of 12.74 feet; thence N.28°56'26"W., a distance of 19.18 feet; thence N.13°02'50"W., a distance of 63.96 feet; thence N.13°01'37"W., a distance of 70.92 feet; thence N.13°36'04"W., a distance of 113.63 feet; thence N.15°10'25"W., a distance of 100.91 feet; thence N.59°53'45"W., a distance of 5.95 feet; thence S.75°02'38"W., and leaving the said shoreline a distance of 175.86 feet; thence S.14°57'22"E., a distance of 356.02 feet; thence S.59°39'59"W., a distance of 77.48 feet; thence S.30°16'10"E., a distance of 269.50 feet to the said Northwestern Right-of-Way line of U.S. Highway no. 1; thence N.56°19'10"E., along the said Northwestern Right-of-Way line of U.S. Highway No. 1 a distance of 792.73 feet to the Point of Beginning. Parcel contains 481,358 square feet or 10.59 acres, more or less.

(c) The uses within the overlay district shall be subject to all land development regulations (i.e setbacks, heights, etc.) including minor conditional and major conditional use regulations of the Monroe County Code.

(d) The Lower Sugarloaf Key Community Center Overlay District densities shall be enforced, in lieu of Section 130-157 Maximum Residential Density and District Open Space and Section 130-162 Maximum Hotel-Motel, RVs and Institutional Residential Densities, and the intensities shall be enforced, in lieu of Section 130-164 Maximum Nonresidential Land Use Intensities and Open Space Ratios and only within the boundaries of the district.

The uses within the overlay district shall be developed with the following density and intensity regulations:

(1) Density and Intensity:

- (a) For the purposes of this overlay district, uses with corresponding density / intensity thresholds shall not be cumulative, except no combination of commercial retail and office shall exceed 20,758ft² FAR.

TABLE INSET:

MAXIMUM DENSITY / INTENSITY BY PROPOSED LOWER SUGARLOAF KEY COMMUNITY CENTER OVERLAY DISTRICT			
Land Use	Density/Intensity	Size of Site (upland)	Max Allowed
Hotel ⁽¹⁾	7.25 Rooms per Acre	10.59 acres	75 Rooms
Office ⁽²⁾	0.045 FAR	461,300.4 sq.ft.	20,758 sq.ft.
Marina ⁽²⁾	0.045 FAR	461,300.4 sq.ft.	20,758 sq.ft.
Perm. Residential	0.25 Units per Acre	10.59 acres	2 units
Commercial Retail - Medium ⁽²⁾	0.045 FAR	461,300.4 sq.ft.	20,758 sq.ft.
Recreational Rentals ⁽¹⁾	2.4 Spaces per Acre	10.59 acres	25 Spaces
Commercial Fishing ⁽²⁾	0.045 FAR	461,300.4 sq.ft.	20,758 sq.ft.
TOTAL DENSITY RESIDENTIAL:			100 transient, 2 market rate units
TOTAL INTENSITY FAR ^(3 & 4):			20,758ft2
Affordable / Employee Housing	0.75 Units per Acre	10.59 acres	8 Units
(1) These uses shall not be cumulative.			
(2) A combination of hotel rooms or recreational rentals shall not exceed a total of 100 rooms and/or spaces.			
(3) No combination of commercial retail and office structure shall exceed 20,758 sq.ft. FAR.			
(4) Maximum square footage of any one building or structure shall not exceed 10,000 sq.ft.			

*Maximum square footage of any one building or structure shall not exceed 10,000 square feet. However, cumulative square footage is governed by floor area ratio maximums. The intent of this limitation is to prevent large scale, out of character retail or commercial development.

(2) No Open Space Ratios are modified by this Section 130-131.

PASSED AND ADOPTED BY THE PLANNING COMMISSION of Monroe County, Florida, at a regular meeting held on the 28th day of April, 2010.

Chair Wall _____
 Vice-Chair Cameron _____
 Commissioner Hale _____
 Commissioner Lustberg _____
 Commissioner Werling _____

PLANNING COMMISSION OF MONROE COUNTY, FLORIDA

BY _____
 Randolph D. Wall, Chair

Signed this _____ day of _____, 2010.

